

The United States of America

To all to whom these presents shall come, Greeting:

AA-60709

WHEREAS

Cook Inlet Region, Inc.

is entitled to a patent pursuant to Sec. 12 of the Act of January 2, 1976, 43 U.S.C. 1611 n., as amended and per I.C. (2)(a) of the Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area, as clarified August 31, 1976, 90 Stat. 1835, of the surface and subsurface estates in the following-described lands:

Seward Meridian, Alaska

T. 13 N., R. 3 W.,
Sec. 12, Lot 9.

Containing 95.10 acres, as shown on plat of survey officially filed on December 13, 1989.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface and subsurface in the lands above described; TO HAVE AND TO HOLD the said estates with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever.

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1616(b), the following public easements are reserved to the United States. They are referenced by easement identification number (EIN) on the easement map, a copy of which will be found in case file AA-60709-EE. All easements are subject to applicable Federal, State or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

- a. (EIN 1 B) An avigation easement 800 feet or above in height over the entire parcel in Sec. 12, T. 13 N., R. 3 W., Seward Meridian. This easement is for airspace and there will be no use allowed within the easement which might interfere with the taking off and landing of aircraft from Elmendorf Air Force Base or which otherwise constitutes an airport hazard.

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- b. (EIN 2 B) A noise easement over the entire parcel within Sec. 12, T. 13 N., R. 3 W., Seward Meridian. This easement allows for noise disturbance emanating from the Elmendorf Air Force Base, and no use will be allowed within the easement which interferes with the landing and taking off of aircraft from Elmendorf Air Force Base or which otherwise constitutes an airport hazard.
- c. (EIN 3 B) An easement for an existing gas line 600 feet in length and 30 feet in width southerly from the northwest corner of the parcel in Sec. 12, T. 13 N., R. 3 W., Seward Meridian along the section line. The uses allowed are those activities associated with the construction, operation and maintenance of the gas line.
- d. (EIN 4 L) An easement for a 40 foot air-right for the existing 115KV electric transmission line in Sec. 12, T. 13 N., R. 3 W., Seward Meridian (see EIN 5 B, L). Construction to up-grade the line to 230KV is planned within the next 5 years at which time the air-right easement will increase to 70 feet to continue in conformance with National Electric Safety Code Standards. The allowable use is for airspace.
- e. (EIN 5 B, L) An easement 150 feet in width for existing utilities from the northwest boundary of the parcel in Sec. 12, T 13 N., R. 3 W., Seward Meridian, easterly along the parcel's northern boundary to the east boundary of the parcel. The uses allowed are those activities associated with the construction, operation and maintenance of the gas line, multi-product pipeline, sewer line and electric line.

- f. (EIN 6 B) An accident potential zone easement (APZ II) restricting the use and occupancy of approximately 11.62 acres of land to be conveyed. This portion is more particularly described as follows:

A parcel of land being a portion of Lot 9 located within the W $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, Township 13 N., Range 3 W., Seward Meridian, Anchorage Recording District, State of Alaska; said parcel being more particularly described as follows:

Commencing at the section corner common to Sections 11, 12, 13 and 14 of said township and range;

thence N. 0°03'15" E., between Sections 11 and 12, 3.787 chains (294.94 feet) to Witness Point 1 (WP1), on line between Secs. 11 and 12, the Point of Beginning.

thence continuing N. 0°03'15" E., between Sections 11 and 12, 34.658 chains (2287.43 feet) to WP 2; on line between Sections 11 and 12;

thence S. 89°59'30" E., 3.369 chains (222.35 feet) to the Angle Point (AP10) identical with a Point of Curvature (PC);

thence along the arc of a curve to the right having a radius of 85.297 chains (5629.60 feet), a central angle of 0°46'27", (Long Chord bears S. 89°36'08" E., 1.152 chains) for an arc distance of 1.152 chains (76.03 feet) to a point;

thence S. 0°03'15" W., 16.667 chains (1100.02 feet);

thence S. 89°56'45" W., 2.248 chains (148.37 feet);

thence S. 0°03'15" W., 17.956 chains (1185.10 feet); to a point on a curve to the right;

thence along said curve, having a radius of 26.286 chains (1734.88 feet), a central angle of 3°45'07", (Long Chord bears S. 88°09'31" W., 1.721 chains) for an arc distance of 1.721 chains (113. 59 feet) to Angle Point 1 (AP 1);

thence N. 89°58'00" W., 0.553 chains (36.50 feet) to the Point of Beginning.

Contains 11.62 acres, more or less.

All uses are allowed except as follows:

No two- to four-family or multi-family residential dwellings, group quarters, residential hotels, mobile home parks or courts. Residential dwellings are restricted to one or two single-family dwellings per acre. Planned Unit Development is restricted to 20 percent maximum lot coverage per acre. No industrial and manufacturing uses involving apparel, chemicals, or allied products, petroleum refining or related industries, rubber or miscellaneous plastic goods, professional, scientific and controlling instruments. No commercial and retail trade involving eating and drinking places. No public and quasi-public service uses utilizing meeting places, auditoriums or other than low-density offices. No public and quasi-public services involving educational services, cultural activities, medical or other health services, non-profit organizations, churches or chapels. No outdoor recreation involving spectator sports or arenas, resort and group camps, entertainment assembly and other than low-density community and regional parks.

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1616(b)(2), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law.

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2. A right-of-way, A-010021, for a water pipeline, dam and reservoir site and a road, under the Act of February 15, 1901 (31 Stat. 790; 43 U.S.C. 959).

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

[SEAL]

GIVEN under my hand, in ANCHORAGE, ALASKA
the THIRTY-FIRST day of OCTOBER
in the year of our Lord one thousand nine hundred and
NINETY-ONE and of the Independence of the
United States the two hundred and SIXTEENTH.

Jenice R. Prutz

By _____
Jenice R. Prutz, Acting Chief
Branch of Cook Inlet and
Ahtna Adjudication

Patent Number **50-92-0050**